

erally is followed throughout the country. It is put forth merely as a guide of what, in the opinion of the leaders of the profession, an architect's services are worth.

"From 1914 to date the fee has increased about 200 per cent, keeping pace with the general advance in the cost of building, hasn't it?" Mr. Untermyer asked. The witness said that was true and explained that not only had the architect's costs advanced that amount but that the period for construction had been lengthened, greatly adding to the cost of overseeing.

"Do you regard this minimum charge as fair and ethical?" Mr. Untermyer asked, and the witness said he did absolutely. Mr. Penner declared repeatedly he would not accept the interpretation and insinuation which Mr. Untermyer was making that the "minimum charge" was mandatory and imposed upon all members.

"What chance has a young man, just entering the profession, against a firm like yours if he is compelled to charge the same fee you do?" Mr. Untermyer asked. The young man can disregard completely the institution's "guidance" if he wishes so to do and no one in the profession will think the less of him or "brown down" upon him, the witness said.

"Instead of being a professional practice I think it is an unprofessional practice and one of the elements in the high cost of construction," Mr. Untermyer said. "I am making a fight against this practice for the young men of the profession. Will you recommend or agree that the minimum charge code be done away with entirely?"

Mr. Penner said he would not consent to the abolition of the rule, because he was certain it worked for the best interests of the profession.

Sand Board Man Obstinate.

Mr. Engle, who had been on the stand in the forenoon and declined to produce his audits of the Sand Board accounts, was recalled in the afternoon and had another opportunity to obey. He still refused, taking the position that he had acted in a confidential capacity as an employee and could not supply the information unless it was released by the board.

Then the witness was asked whether he would produce his annual report on the affairs of the board. Again he declined. Mr. Untermyer pulled a document from his stack of papers and asked the witness whether that was a true copy of the report he would not produce. Engle was amazed, but said with a laugh that the report was correct and it was offered in evidence. Its contents were not made known.

Mrs. Helen MacDonald, the youthful clerk in the Sand Board's office, produced all the cards and records she had been instructed to give to the committee, but insisted she knew nothing about its affairs, membership or operation.

Arthur S. Roberts, associate counsel for the Iron League of New York, issued a statement yesterday assailing the testimony given before the committee by Louis Horowitz, president of the Thompson-Starrett Company, on Wednesday to the effect that the term "open shop" is used by steel interests to defeat union labor.

Mr. Horowitz is guilty of statements which he must know to be untrue, Mr. Roberts stated.

"The structural steel industry in New York city has been upon an actual open shop basis since January 1, 1906, both union and non-union men being employed by numerous contractors without discrimination against either class, and in hundreds of cases working together in perfect good will upon the same building," Mr. Horowitz has been denied his unqualified right to purchase structural steel and erect it with any men he saw fit to employ it is because, as a member of the Building Trades Employers' Association, the influence of his company was

exerted behind the effort made by that association a year ago to compel the members of the Iron League to employ, in the erection of structural steel work, only such men as were recognized by Mr. Brindell.

The nefarious agreement between Mr. Brindell's Building Trades Council and the Building Trades Employers' Association would have prevented hundreds of structural steel workers from earning their livelihood in this city and further limited the number of available workmen in the steel industry at a time when the entire supply was woefully insufficient. It has afforded the foundation upon which Mr. Brindell expanded his grafting operations, which undoubtedly would have been carried to much greater lengths had he not been chinked as regards the iron workers by the action of the Iron League.

"The members of the Iron League called the attention of the Employers' Association to the probable results of the execution of the contract referred to, protested against it, refused to sign it and, as a result of the determined effort of the Employers' Association to force it upon them, resigned from that association."

"There are several hundred union iron workers employed by members of the Iron League in New York city today, but the league has at all times refused to become a party to any closed shop contract."

"The further impression which the testimony is calculated to convey to the public—that there is a combination to control prices existing between the structural steel contractors of New York city and the shops and mills furnishing the material used by them—is discreditable to Mr. Horowitz's intelligence. The agreement dated December 17, 1919, between the Building Trades Employers' Association and the Building Trades Council of New York city has been the greatest single factor in the stimulation of graft in the building industry of the city during the current year, and the action of the Iron League in opposing the closed shop demand, administered by Mr. Brindell in the other trades, has kept the conduct of at least one branch of that industry above reproach."

The committee's hearing will be continued to-day.

SUSPENDS BROOKLYN LIGHT RATE ADVANCE

Justice Cites Electric Co. to Argue on Injunction Monday.

The new rates of the Brooklyn Edison Company, which became effective December 1, were suspended yesterday by a temporary injunction granted by Supreme Court Justice Aspinall in Brooklyn. The order forbade the company to interfere in any way with the amount of light furnished consumers while the stay is operative and required the company on Monday to show cause why the injunction should not be continued until trial of the action for a permanent injunction is decided.

The particular clause to which the temporary stay was applied was to the so-called "contract rider No. 16," which was filed with the Public Service Commission November 1, by which fluctuations of coal prices were to govern a sliding scale of rates.

Corporation Counsel O'Brien, in arguing for the injunction, said that while a sliding scale of lighting rates was possible under the law, a scale that depended upon the changing price of coal above a standard arbitrarily fixed was not included in the scope of the statutes, and in any event its enforcement must be ordered by the Public Service Commission after due publication.

In his brief Mr. O'Brien said the increase in rates contemplated by the company is about 15 per cent, and would add \$1,500,000 more in yearly revenue to the company.

SECRET INDICTMENT ON HOUSING CHARGE

Defendant's Identity Withheld Until Arrest and Arraignment.

\$25,000 BAIL FOR BACKER

New Grand Jury in January to Help in Following Up Lockwood Cases.

The filing of a fresh indictment against an individual whose name has not yet been made public, arraignment of Joseph Moran, a member of the Dock Builders' Union, and Peter Stadtmiller of the Housewreckers' Union, on indictments filed Monday, and the issuance of an order for another Grand Jury to investigate graft and conspiracy charges marked the continuance yesterday of the criminal action growing out of the investigation conducted by the Lockwood Legislative Committee on Housing.

The new indictment was handed up to Justice John V. McAvoy in the Supreme Court by the Extraordinary Housing Grand Jury, which was impaneled last week and which previously had indicted two members of the Builders' Supply Bureau, an employers' organization, for refusal to answer questions relating to their business. It is expected that the person named in the new bill will be arraigned before Justice McAvoy for pleading this morning.

Backer Furnishes New Bond.

Incidental to the proceedings, George Backer, the builder, whose trial on a charge of perjury committed before the Lockwood committee resulted in a discharge of the jury Wednesday, appeared before Judge Otto A. Rossisky in General Sessions and furnished a new bail bond for \$25,000.

The arraignment of Moran and Stadtmiller followed the appearance of both men at the District Attorney's office, where they surrendered to Detective Bernard A. Flood. They said they had heard an indictment had been filed against them. Stadtmiller already was under \$100,000 bail, which he had furnished when he was indicted for attempted extortion, with Robert P. Brindell, president of the Building Trades' Council. Judge Joseph F. Mulqueen held that this bail was sufficient.

In the case of Moran Judge Mulqueen fixed bail at \$50,000, against the protest of Moran's attorney, J. J. O'Connor, who called that amount excessive.

The indictments specifically charge that on August 27, 1920, the two men extorted \$500 from Jacob L. Kamen, president of the Front Street Housewrecking and Lumber Company, saying they would cause a strike on work in which he was interested to be called off. The strike affected premises at 303, 305 and 307 West Fifth street.

New Grand Jury in January.

The call for a new Grand Jury was made at the request of Samuel A. Berger, Special Deputy Attorney-General, who is directing a phase of the investigation begun by Samuel Untermyer before the Lockwood Committee. At present the two Grand Juries are engaged exclusively in this work. It is understood that the new Grand Jury will take the place of the November Ad-

ditional Grand Jury, one of those so coupled at the present time.

Justice McAvoy directed that the work of impaneled this Grand Jury begin January 2. It will be known as the January Additional Grand Jury, and will be at Mr. Berger's disposal.

A motion for the inspection of the minutes of the Grand Jury which indicted sixteen members of the Metallic Furring and Lathing Association for alleged destruction of records wanted by the Lockwood Committee was argued before Judge Mulqueen.

Jeremiah Mahoney of counsel for the indicted men said that it was their desire to move for dismissal of the indictments. He was opposed by Mr. Berger. Judge Mulqueen gave counsel for both sides until Wednesday to file briefs.

MILLERS ARE GUESTS AT EXECUTIVE MANSION

Governor-Elect and His Wife Stay Over Night.

Special Despatch to THE NEW YORK HERALD. ALBANY, Dec. 9.—Governor-elect and Mrs. Nathan L. Miller were the guests to-night of Gov. and Mrs. Alfred E. Smith at the Executive Mansion. This afternoon Judge Miller argued a case before the Court of Appeals in which former Gov. Charles E. Hughes was on the opposite side. The incoming Governor and his wife took dinner at the mansion and remained there overnight. They will return to New York to-morrow morning.

Mrs. Miller, accompanied by the newly appointed Military Secretary, Major Compton, visited this afternoon several Albany girls' schools, one of which will be attended by her six young daughters. The Millers will not take up their residence in the mansion until two or three days before the inauguration on January 1. They will spend Christmas at their Syracuse home.

"We always have a tree," said Mrs. Miller, "and the Judge is undisciplined enough to play Santa Claus. You see our baby is but 7 years old and we do not feel that she should go without the joys of a Christmas tree. Then there is my little granddaughter, Mary Elizabeth, who, although but 2 months old, must be initiated into the spirit of a real Miller Christmas."

Mary Elizabeth is the daughter of Judge Miller's eldest daughter, Mrs. Dennis McCarthy of Syracuse. It is not expected that the Millers will entertain extensively in Albany.

"Although a large family," said Mrs. Miller, "we are home loving, and I do not want to plan a gay social season. I will of course entertain with the customary receptions and dinners, given by the wife of each Governor."

DOUBTS SOLDIER WAS A SPY.

LAFAYETTE, Ind., Dec. 9.—John A. Willers, army captain and deserter, who was arrested in New York December 7 and is alleged to have confessed being a German spy, is believed to be insane by Frank Doe of this city, an uncle of Willers. Mr. Doe, in a statement to-day said Willers came to America from Germany when he was 14 years old and that, to his knowledge, had never returned to Germany, although his mother still resides there.

INSURANCE LOANS SHOW HOUSING AID

Haley Fiske Refutes Charges, Telling of \$230,000,000 Put Into Mortgages This Year.

MUCH GOES TO FARMS

Underwriters in Convention Hear of Giant Strides Made in Their Business.

Life insurance companies of America lent more than \$230,000,000 on city and farm real estate mortgages in the first ten months of this year, according to Haley Fiske, president of the Metropolitan Life Insurance Company, who spoke yesterday in the Hotel Astor at the fourteenth annual convention of the Association of Life Insurance Presidents. Of this amount, Mr. Fiske continued, \$151,348,902 was on farms and \$78,876,359 on property in cities.

"Mortgage loans have constituted more than 80 per cent of the assets of life insurance companies," said the speaker, "with railroad securities second." He added that this refuted the criticism that life insurance companies had not done their duty in responding to the housing shortage.

Capital funds of approximately one billion dollars annually are needed by the railroads for additional facilities and equipment, declared Daniel Willard,

president of the Baltimore and Ohio Railroad.

"I understand that the life insurance companies hold as investments somewhat more than \$1,700,000,000 of railway interest-bearing securities," he said, "and combined may be said to constitute the largest investor in such securities in the world."

Representative Nicholas Longworth, a member of the House Ways and Means Committee, spoke on public expenditures and taxation, urging the immediate repeal of the excess profits tax and the enactment of legislation taxing the undistributed profits of corporations. In his opinion there will be no substantial reduction of taxes in the near future, but he predicted that Congress will lop off a billion dollars from the appropriation asked for by Secretary Houston.

"The problem of tax reduction would have been simplified but for the veto by the President of the budget bill and the resolution terminating the war period."

An outline of the history of life insurance in America from 1843 to the present was contributed by William A. Hutcheson, second vice-president and actuary of the Mutual Life Insurance Company. F. H. Ellsworth, president of the National Convention of Insurance Commissioners, discussed regulation of insurance companies, and Fred A. Howland, president of the National Life Insurance Company of Montpelier, Vt., said the volume of life insurance in force in America exceeds that of companies in all other countries.

New insurance business this year will amount to almost ten billion dollars, according to statistics presented by George I. Cochran, president of the Pacific Mutual Life Insurance Company of Los Angeles. Total insurance on all American lives fifteen years ago was less than this year's new insurance, he said.

Six policy holders, all more than 90 years old and who have carried insurance for fifty years or more, were convention guests.

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Beaver Colored Nutria Coat (40 inch)	595.00	465.00
Taupe Squirrel Coat (36 inch)	750.00	595.00
Hudson Seal Coat Skunk Collar and Cuffs (36 inch)	475.00	375.00
Hudson Seal Coat Skunk Collar and Cuffs (40 inch)	525.00	415.00
Hudson Seal Coat Skunk Collar and Cuffs (45 inch)	550.00	435.00

Scarfs and Capes

	WERE	Reduced to
Natural Fisher Scarf	\$150.00	\$110.00
Natural Fisher Scarf	200.00	150.00
Natural Fisher Scarf	300.00	225.00
Natural Fisher Scarf	375.00	285.00
Natural Fisher Scarf	475.00	355.00
Mink Scarf (1 skin)	50.00	35.00
Mink Scarf (2 skins)	100.00	70.00
Mink Cape-Coatee	8500.00	2500.00
Mink Cape-Coatee	2995.00	2250.00
Mole Scarf	55.00	40.00
Mole Scarf	75.00	60.00
Mole Scarf	145.00	110.00
Mole Cape-Coatee	475.00	375.00
Mole Cape-Coatee	595.00	475.00



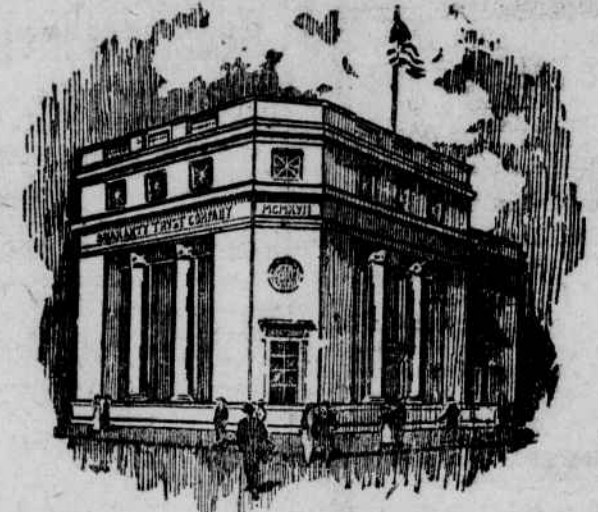
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